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**DISTRICT COURT OF ARIZONA
UNITED STATES DISTRICT COURT**

STACI BURK, a single woman,

Plaintiff,

vs.

**KELLY TOWNSEND, MICHEAL FLYNN,
SIDNEY POWELL, DOES I-C.**

Defendants.

Case No. 2:22-cv-01967-DMF

**MOTION FOR EXTENSION
OF TIME AND PERMISSION TO
EXCEED PAGE LIMITS**

(Assigned to Hon. Deborah Fine)

Plaintiff received today Defendant Townsend's Notice of Joinder of Defendant Michael Flynn's Motion to Dismiss. Plaintiff researched and prepared a response to request permission to consolidate a response to Motion's to Dismiss. Plaintiff was advised the rationale behind the Court issuing a blanket thirty-day response period

for a pro se Plaintiffs time to respond to a represented Defendants Motion to Dismiss, is to allow a pro se Plaintiff sufficient time to research and make use of the law library and materials in order to adequately respond to the Motion. Plaintiff had been researching and preparing a response to Defendant Townsend which is due next week. Today Plaintiff received notice from Townsend and a Court Order enjoining all legal arguments advanced by Defendant Flynn as also now being applicable to Defendant Townsend.

Since Townsend filed her Motion to Dismiss alleging new defenses and arguments than previously claimed, Plaintiff has spent substantial time researching and outlining for a response to Defendant Townsend's Motion to Dismiss to be filed next week based on the Courts order (100).

Defendant Flynn filed just last week separate defenses and arguments which require substantial research to provide supporting fact and case law. For example, Defendant Flynn advances a defense alleging Arizona has adopted a one year statute of limitation for 1983 claims while citing a case that applies 1983 to civil rights violations related to a State employment law matter rather than the tort of Intentional Infliction of Emotional Distress as pled by Plaintiff. Because Plaintiff is not an attorney, nor does she have an entire office staff assisting, Plaintiff needs time to prepare an adequate response to Defendant Flynn's defenses as they relate to

Townsend. Plaintiff has spent the last three weeks researching and preparing a response to Defendant Townsend's defenses such as her immunity claims. Plaintiff has made use of the pro se resources and as such, Plaintiff has not had any time to research her response to the defenses Defendant Flynn advanced, and especially not as those defenses apply to Townsend.

Given Townsend's late hour request to now enjoin Defendant Flynn's defenses just a week before the response is due, as a pro se Plaintiff, this disadvantages Plaintiff and leaves Plaintiff inadequate time to research and formulate an adequate response to Defendant Flynn's defenses as they apply to Defendant Townsend.

Furthermore, as Defendant's Townsend and Flynn have both enjoined their Motion to Dismiss and asserted each other's defenses applying to both Defendants and the court has indicated it expects separate responses for each Defendant, Plaintiff respectfully requests permission to exceed the page limit to twenty-five pages for each Response in order to adequately respond to the multiple defenses advanced by the enjoined Defendants.

This request does not unduly prejudice Defendants, nor does it cause an unreasonable delay. Granting the extension may in fact save the Court and all parties time and resources as it should allow Defendant Powell who has been served in accordance with the service by publication timelines, time to appear and enjoin

herself in the previously filed Motions to Dismiss, advance any additional defenses and allow Defendant's to enjoin as such without the Court or parties having to expend additional resources.

THEREFORE, Plaintiff respectfully requests this Court:

1. Extend the time to file a response to Townsend's MTD to March 1, 2024, the date Plaintiff is required to respond to Defendant Flynn's MTD, to allow *pro se Plaintiff* necessary time to research and incorporate Defendant Flynn's newly raised defenses Plaintiff has not yet researched into her Response to Townsends MTD.
2. Extend Plaintiff's time to respond to Defendant Flynn's Motion to Dismiss to March 25, 2024, allowing pro se Plaintiff needed time to research and incorporate Townsend's defenses as they apply to Defendant Flynn an intertwined State actor.
3. Issue an order permitting Plaintiff to exceed the required page limits to not exceed twenty-five (25) pages.

Respectfully submitted this 7th day of February 2024



Staci Burk

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

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By:  _____